

REGISTER

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A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Social Services: (May 6, 2003) intends to adopt rules that will increase the payment standards for the Temporary Assistance for Needy Families Program (TANF). The general authority for these rules, as cited by the department, is SDCL 28-7A-3.

A public hearing will be held in Conference Rooms #1 & 2, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Tuesday, May 27, 2003, at 1:00 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by June 6, 2003, to be considered. Individuals intending to present oral testimony at the hearing must make a written copy of their testimony available to the Department at the time of the hearing. The testimony must relate directly to the changes being proposed and must cite the specific rule number to which the comments are being directed. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3305 at least forty-eight hours before the hearing.

Department of Social Services: (May 6, 2003) intends to adopt rules changes relating to nursing facility payments made by the department for the state fiscal years 2004 and 2005. These changes will be to incorporate by reference the latest version of the Estimated

Useful Lives of Depreciable Hospital Assets which is used by the department when calculating depreciation; and incorporate by reference the latest version of the Medicare Provider Reimbursement Manual (HCFA Pub 15-1) which is used by the department when calculating reimbursement. The general authority for these rules, as cited by the department, is SDCL 28-6-1.

A public hearing will be held in Conference Rooms #1 & 2, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Tuesday, May 27, 2003, at 1:30 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by June 6, 2003, to be considered. Individuals intending to present oral testimony at the hearing must make a written copy of their testimony available to the Department at the time of the hearing. The testimony must relate directly to the changes being proposed and must cite the specific rule number to which the comments are being directed. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3305 at least forty-eight hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Administrative Rules: (None)

Executive Appointments:

Dan Thayer, Pierre, was appointed on April 18, 2003, to the **Board for Nursing Facility Administrators**, to replace Joan Bachman, effective immediately and shall continue until April 29, 2006.

Merton Clarkson, Ludlow, was appointed on April 28, 2003, to the **Game, Fish and Parks Commission**, to replace Cal Stukel, effective May 3, 2003, and shall continue until January 10, 2007.

Randall Kemink, Gettysburg, was appointed on April 28, 2003, to the **Game, Fish and Parks Commission**, to replace Sandra Hagny, effective May 3, 2003, and shall continue until January 10, 2007.

Spencer Hawley, Brookings, was appointed on April 28, 2003, to the **Game, Fish and Parks Commission**, to replace Mark Yonke, effective May 3, 2003, and shall continue until January 10, 2006.

Richard Gowen, Rapid City, was appointed on April 28, 2003, to the **Board of Education**, to replace Jim Abbott, effective June 30, 2003, and shall continue until December 31, 2006.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

5-13-2003	Labor: Cosmetology Commission	Adopt rules to reflect HB 1046 and to update safety and sanitation procedures; 29 SDR 143.
5-15-2003	Secretary of State: Board of Elections	Adopt rules to comply with the requirements of the Help America Vote Act, implement statutory changes in voter residency and registration requirements, provide additional instruction to voters, streamline the information provided on a ballot, clarify how to handle recount discrepancies, change DRE certification requirements, prevent ineligible municipal candidates from filing a petition, provide for voter identification prior to voting and provide secrecy for all absentee ballots; 29 SDR 144.
5-16-2003	Labor: Labor & Management	Update the workers' compensation fee schedule; 29 SDR 139.
5-16-2003	Revenue and Regulation: South Dakota Lottery Commission	Update video lottery and Powerball rules; 29 SDR 149.
5-22-2003	Transportation	Prohibit parking on the north side of U.S. Highway 212 in the city of Doland and correct Appendix A; 29 SDR 151.
5-22-2003	Revenue and Regulation: Business Tax, Motor Vehicles, Property and Special Taxes	Adopt, amend and repeal rules regarding appraisers, assessors, business taxes, motor vehicles, property tax, and Streamlined Sales Tax; 29 SDR 151.

5-22-2003	Health: Board of Dentistry	Amend license for dental radiographers; 29 SDR 152.
5-27-2003	Social Services	Amend rules to increase the payment standards for all TANF assistance units; 29 SDR 155.
5-27-2003	Social Services	Amend rules relating to nursing facility payments by the Department; 29 SDR 155.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Tuesday, May 13, 2003, in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2003 interim: June 10, August 5, September 8, October 6, and November 19.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

Note: An updated version of the Administrative Rules Guide to Form and Style is available at the LRC office and on the LRC web site.

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